

9-27-01

Practitioner's Docket No. 791\_075 DIV

PATENT

NEW APPLICATION TRANSMITTAL

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 on September 26, 2001 under "EXPRESS MAIL" mailing label number EL872659810US.

Elizabeth A. VanAntwerp

Box Patent Application  
Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

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**TITLE:** PIEZOELECTRIC/ELECTROSTRICTIVE DEVICE AND  
PRODUCTION METHOD THEREOF

**1. Type of Application**

This is a request for filing a *DIVISIONAL APPLICATION* under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.:	09/441,914,	Prior Art Unit:	2834
Filed:	November 17, 1999,	Prior Examiner:	Budd, M.
Title:	PIEZOELECTRIC/ELECTROSTRICTIVE DEVICE AND PRODUCTION METHOD THEREOF		
Inventors:	Yukihiisa TAKEUCHI, Tsutomu NANATAKI, Toshikazu HIROTA and Koji KIMURA.		

## 2. Papers Enclosed

### A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

- 61 Page(s) of Specification
- 5 Page(s) of Claims
- 1 Page(s) of Abstract
- 29 Sheets of Formal Drawings (Figs. 1-35)

### B. Other Papers Enclosed

- ☒ A Patent Application Bibliographic Data Sheet
- ☒ A copy of the Declaration and Power of Attorney from the prior application
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449

## 3. The correspondence address for this application is: Customer No.: 025191

Telephone: (315) 233-8300  
Facsimile: (315) 233-8320

Electronic Mail: vananl@macklaw.com

## 4. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

- ☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.
- ☐ Applicants hereby request that the attached application **not** be published under 35 U.S.C. 122(b).

## 5. Relate Back

### A. 35 U.S.C. 119(e)

- ☐ Priority of provisional application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, is hereby claimed under 35 U.S.C. §119(e).

### B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application(s) is hereby claimed under 35 U.S.C. § 120 as follows:

U.S. Serial No. 09/441,914 filed November 17, 1999 and  
U.S. Serial No. 09/242,642 filed December 28, 1998.

T09260-969660

**C. 35 U.S.C. 119 Priority Claim for Prior Application**

- ☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

Japanese Application 11-281522 filed October 1, 1999  
 Japanese Application 11-307844 filed October 28, 1999 and  
 Japanese Application 11-326195 filed November 16, 1999.

- ☒ Certified copies of the above corresponding foreign applications were filed in prior application Serial No. 09/441,914 on March 7, 2000.  
☐ Certified copies of the above corresponding foreign applications are filed herewith.

**6. Declaration or Oath (including Power of Attorney)**

The power of attorney in the prior application is to Stephen P. Burr, Reg. No. 32,970:

- ☐ The power appears in the New Power of Attorney form filed herewith.  
☒ A copy of the power in the prior application is enclosed.  
☐ Power filed in the previous case - no new power is necessary.

**7. Inventorship Statement**

The inventorship for all the claims in this application are:

- ☒ the same.  
☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,  
☐ is submitted.  
☐ will be submitted.

**8. Assignment**

The prior application is assigned of record to NGK Insulators, Ltd. at Reel 010600, Frame(s) 0564-0466 (recorded March 10, 2000).

**9. Small Entity Status**

- ☐ Applicant(s) claim(s) small entity status. See 37 C.F.R. § 1.27.

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**10. The filing fee has been calculated as shown below:**

- A. Filing Fee  
☒ Original Patent Application \$ 710.00  
(37 C.F.R. 1.16(a) --\$710.00; Small Entity--\$355.00)
- B. Fees for Claims (**13** Claims; **1** Indep.)  
☐ each independent claim in excess of 3  
(37 C.F.R. 1.16(b)--\$80.00; small entity--\$40.00) \$ .00
- ☐ each claim in excess of 20  
(37 C.F.R. 1.16(c)--\$18.00; small entity--\$9.00) \$ .00
- ☐ multiple dependent claim(s)  
(37 C.F.R. 1.16(d)--\$270.00; small entity--\$135.00) \$ .00
- Total Fees Due \$ 710.00**

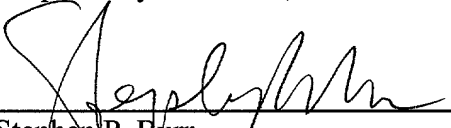
**11. Payment of Fees and Authorization to Charge Additional Fees  
or Credit Overpayment**

- ☒ A check in the amount of \$710.00 is enclosed.  
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.  
☒ Any additional filing fees required under 37 CFR 1.16.  
☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

September 26, 2001

Date

  
 Stephen P. Burr  
 Reg. No. 32,970

SPB/eav

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